

JAP:MKM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(T. 8, U.S.C., §§ 1326(a)
and 1326(b)(2))

JEAN STANLEY VALME,
also known as
"Fadherb Jean" and
"Audley Kenneth Valme,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MATTHEW LEW, being duly sworn, deposes and states that he is a Deportation Officer with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about May 17, 2012, within the Eastern District of New York and elsewhere, the defendant JEAN STANLEY VALME, also known as "Fadherb Jean" and "Audley Kenneth Valme," being an alien who had previously been arrested and convicted of an aggravated felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney

General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about May 17, 2012, JEAN STANLEY VALME, also known as "Fadherb Jean" and "Audley Kenneth Valme," was arrested in Brooklyn, New York, by the New York City Police Department ("NYPD") and charged with criminal possession of marihuana in the fifth degree, in violation of Section 221.10(1) of the New York State Penal Law. The defendant used the name "Fadherb Jean" in connection with this arrest.

3. Federal law enforcement received information from the NYPD regarding the defendant's arrest. ICE officials ran a

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware.

criminal history report and found that the defendant, a citizen of Haiti, had been previously removed from the United States on or about May 25, 2006. The defendant used the name "Jean Stanley Valme" in connection with this removal.

4. ICE officials also determined that on or about September 17, 1998, the defendant had been convicted in the Wake County, North Carolina Superior Court of robbery, an aggravated felony offense for which he was sentenced to a term of imprisonment of 20 - 24 months. The defendant used the name "Audley Kenneth Valme" in connection with this conviction.

5. The fingerprints taken in connection with the defendant's arrest underlying his September 17, 1998 conviction; the fingerprints taken in connection with the defendant's May 25, 2006 removal; and the fingerprints taken in connection with the defendant's May 17, 2012 arrest, were compared by a trained analyst and it was determined that all three sets of fingerprints were made by the same individual.

6. A search of United States Citizenship and Immigration Services records has revealed that there exists no request by the defendant for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant JEAN STANLEY VALME, also known as "Fadherb Jean" and "Audley Kenneth Valme," be dealt with according to law.

Matthew Lew

MATTHEW LEW
Deportation Officer
U.S. Immigration and Customs
Enforcement

Sworn to before me this
13th day of June, 2012

HONORABLE JAMES ORENSTEIN
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK